

Date: September 22, 2004
W.I.: 1255
Referred by: PAC
Revised: 01/25/06-C
09/28/07-DA
11/28/07-C

ABSTRACT

MTC Resolution No. 3653, Revised

This resolution approves the allocation of Regional Measure 2 funds for the Caldecott Tunnel Improvements – Fourth Bore project sponsored and implemented by the Contra Costa Transportation Authority (CCTA) in partnership with the California Department of Transportation (Caltrans).

This resolution includes the following attachments:

Attachment A - Allocation Summary Sheet

Attachment B - Project Specific Conditions for Allocation Approval

Attachment C - MTC staff's review of CCTA's Initial Project Report (IPR) for this project

Attachment D - RM2 Deliverable/Useable Segment Cash Flow Plan

This resolution was revised on January 25, 2006 to allocate an additional \$4 million to the project for preliminary engineering work. Additionally, the following conditions have been removed or modified from the funds, because they no longer apply:

- Removal of entire condition. "RM2 funds for this project shall not be made available for reimbursement as long as allocated Traffic Congestion Relief Program (TCRP) funds are available for expenditure by, and reimbursement to, the CCTA. RM2 funding reimbursements to CCTA may proceed only after the full and complete expenditure and reimbursement of all the allocated TCRP funds authorized for expenditure by and reimbursement to the CCTA for this project."
- Removal of specific date from "Approval of the allocation package by the CCTA Board on September 15, 2004. The allocation package consists of the Initial Project Report (IPR), resolution of project compliance, and opinion of legal counsel."

This resolution was revised on September 28, 2007 by Delegated Authority to add a condition of allocation allowing CCTA to bill MTC as frequently as monthly in accordance with the cash flow plan for Project 36.1.

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This resolution was revised on November 28, 2007 by commission action to allocate \$8 million in RM2 funds for the final design phase of the project.

Additional discussion of this allocation is contained in the Executive Director's memorandum to the MTC Programming and Allocations Committee dated September 8, 2004, January 11, 2006, and November 14, 2007.

Date: September 22, 2004
W.I.: 1255
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Re: Approval of Allocation of Regional Measure 2 Funds for the Caldecott Tunnel
Improvements – Fourth Bore Project

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3653, Revised

WHEREAS, pursuant to Government Code Section 66500 *et seq.*, the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, MTC adopted policies and procedures for the implementation of the Regional Measure 2 Regional Traffic Relief Plan on June 23, 2004, specifying the allocation criteria and project compliance requirements for RM 2 funding (MTC Resolution No. 3636); and

WHEREAS, the Contra Costa Transportation Authority (“CCTA”) has submitted a request for the allocation of RM 2 funds for the Caldecott Tunnel Improvement – Fourth Bore project; and

WHEREAS, the Caldecott Tunnel Improvements – Fourth Bore project is identified as capital project number 36 under RM 2 and is eligible to receive RM 2 funding as identified in Streets and Highways Code Sections 30914(c); and

WHEREAS, CCTA has submitted an Initial Project Report, as required pursuant to Streets and Highway Code Section 30914(e), to MTC for review and approval; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, lists the project and phase for which the CCTA is requesting RM2 funding and the reimbursement schedule and amount recommended for allocation by MTC staff; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, lists the required project specific conditions which must be met prior to execution of the allocation and any reimbursement of RM2 funds; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, includes MTC staff’s review of CCTA’s Initial Project Report (“IPR”) for this project; and

WHEREAS, Attachment D attached hereto and incorporated herein as though set forth at length, lists the cash flow of RM2 funds and complementary funding for the deliverable/useable RM2 project segment; now, therefore be it

RESOLVED, that MTC approves MTC staff’s review of CCTA’s IPR for this project as set forth in Attachment C; and be it further

RESOLVED, that MTC approves the allocation and reimbursement of RM2 funds in accordance with the amount and reimbursement schedule for the phase, and activities as set forth in Attachment A; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon CCTA complying with the provisions of the Regional Measure 2 Regional Traffic Relief Plan Policy and Procedures as set forth in length in MTC Resolution 3636; and be it further

RESOLVED, that the allocation and reimbursement of RM2 funds are further conditioned upon the project specific conditions as set forth in Attachment B; and, be it further

RESOLVED, that the allocation and reimbursement of RM2 funds as set forth in Attachment A are conditioned upon the availability and expenditure of any complementary funding as set forth in Attachment D; and be it further

RESOLVED, that reimbursement of RM2 funds as set forth in Attachment A is subject to the availability of RM2 funding; and be it further

RESOLVED, that a certified copy of this resolution, shall be forwarded to the project sponsor.

METROPOLITAN TRANSPORTATION COMMISSION

Steve Kinsey, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on September 22, 2004.